



# Northern Illinois Conference

OF THE UNITED METHODIST CHURCH

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## **Information for Pastors and Church Leaders of the Northern Illinois Conference**

On January 20, 2025 the current administration issued several Executive Orders which affect churches that serve or otherwise interact with Refugee and Immigrant populations. This document is to provide a brief introduction for understanding of what has and what may happen. As the extent of action is broadly defined within the Orders, only its execution and subsequent legal challenges will define the parameters of the effects.

### **What is an Executive Order?**

It is an order “issued by or on behalf of the President, usually intended to direct or instruct the actions of executive agencies or government officials, or to set policies for the executive branch to follow”.

*Black’s Law Dictionary, 8th ed.* An Executive Order [“Order”] has effect without departmental review or congressional action. It is susceptible to reversal or limitation through court action upon constitutional grounds if challenged.

### **What is a Sensitive Location?**

A Sensitive Location (also known as a Protected Area) were areas that immigration enforcement actions would not occur, such as schools, healthcare facilities, places of worship, places where children gather, social service establishments, courthouses, emergency response sites, and activities such as parades, demonstrations, or rallies.

### **What has Changed?**

The Executive Orders issued thus far have rescinded the Sensitive Location status of churches, authorizing immigration agencies to enter Sensitive Locations for enforcement actions. This means that enforcement agents can enter a church to search for immigrants and refugees. The only limitation on areas which they can enter is dependent on what areas are “private” or “public”. A private area is one where entry is limited to certain persons, e.g. a parsonage or the pastor’s office; a public area is one where the general public can enter such as a lobby or the worship area. Enforcement agents are required to have a search warrant signed by a judge to enter a private area.

### **Can Enforcement Agencies enter a United Methodist Church without a Warrant?**

The rescission of Sensitive Locations status allows enforcement agents to enter “public” areas of the Church without a warrant; however, areas identified as “private” require a warrant signed by a judge for entry unless invitation or permission to enter is given. Definition of “public” or “private” areas should be identified by the Church and clearly visible with signage.

### **Does the church need to let ICE agents inside of their building if they have a warrant?**

That will depend on what kind of warrant they have. They will need a signed and valid criminal arrest or judicial search warrant. If they have an administrative removal or a civil warrant, the church has the right to refuse their entrance. The person giving access to the building has the right to see and read the warrant before making the decision. Churches need to train their staff, receptionists, custodians, ushers, and volunteers to not allow deception, bullying, lies, misinformation, or uncommunication when asking for the proper warrant.

### **What if a person is arrested on church premises by an ICE agent?**

That individual is entitled to not answer questions, to not sign documents, and immediately speak with a lawyer.

### **What should we do as a Church?**

- Train staff, leaders & volunteers on how to respond to ICE requests.
- Develop a response plan in advance
- Clearly identify “private” and “public” areas through signage
- Designate an authorized person to review warrants
- Document all interactions with immigration enforcement.
- Train people about “Know Your Rights”
- Communicate with your District Superintendent in the event of ICE being present on your premises.
- Connect with immigration response networks in your area.

### **RESOURCES: IMPORTANT STEPS FOR ALL FORMERLY PROTECTED AREAS**

*This brief information has been compiled for Churches and Leaders in the Northern Illinois Conference, and while it has been reviewed by multiple attorneys, this does not constitute legal advice.*

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